

Federal Law, Deadlines and Ballot Access Requirements

General Election For President Tuesday, November 2, 2004

The Democratic Party of Virginia and the Republican Party of Virginia are the only organizations currently recognized as political parties under § 24.2-101 of the Code of Virginia. Therefore, they are the only political parties permitted to select a Presidential Primary in connection with the respective national conventions in the summer of 2004.

The following information is provided concerning the manner in which individuals who **ARE NOT** the national nominees of either the Democratic Party or the Republican Party may qualify to have their names placed on Virginia's general election ballot for President of the United States.

Federal Law

Federal statutes impose certain requirements on a candidate for President. They are:

-
- ' Must be a natural born citizen of the United States who is at least 35 years of age, who has been a resident of the United States for 14 years, who is a resident of and qualified voter in a State other than the State in which the Vice-Presidential candidate is a resident and qualified voter.

 - ' Obtain a Vice Presidential running mate who is a resident of and qualified voter in a State other than the State in which the Presidential candidate is a resident and qualified voter.

 - ' Obtain **2** Electors from the Commonwealth of Virginia at large and **1** Electoral from each of Virginia's 11 congressional districts. Each elector must be a resident and qualified voter of the district for which he/she serves. If they receive the highest number of votes cast at the general election, each elector **must vote** for the persons named for President and Vice President in the petition at the Electoral College.

Members of the United States Senate or House of Representatives and employees of the United States government are prohibited by the Constitution of the United States from serving as electors.

Comply with the requirements of the Federal Election Campaign Act imposed on candidates and committees. This Act requires candidates and committees to register and disclose campaign receipts and expenditures and to abide by certain contribution limits and prohibitions.

The Act further requires that an Authorization Notice appear on any public political advertising.

These regulations are published by, and available from, the Federal Election Commission, 999 E Street NW, Washington DC 20463. You also may request this information by phone: 800-424-9530; FAX: 202-219-8500 or on the Internet at www.fec.gov.

Deadlines

DEADLINE	ACTION REQUIRED
Friday, January 2, 2004	First day on which presidential petitions may be circulated for the November 2, 2004 General Election. See Federal Law Requirements For Presidential Candidate and Ballot Access Requirements in this bulletin for details.
On or before Friday, February 20, 2004	Deadline by which a group which wishes to use a selected party name on the presidential ballot must have in place: <ol style="list-style-type: none">1. A state central committee composed of registered voters from each congressional district in Virginia;2. A party plan and bylaws; and3. A duly designated chairman and secretary.

DEADLINE	ACTION REQUIRED
Friday, August 20, 2004 by Noon	<p>Deadline for other groups to file presidential petitions with the State Board of Elections. See Ballot Access Requirements in this bulletin for details.</p> <p>Deadline for other groups to file the Certificate of Candidate Qualification signed, under oath, by each Electoral whose name appears on the petitions.</p> <p>Deadline for other groups to file a letter certifying the full names and resident addresses of all electors.</p> <p>Deadline for a group wishing to use a party name on the presidential ballot to file with the State Board of Elections the following:</p> <ol style="list-style-type: none"> 1. An affidavit, under oath, that the group had: <ol style="list-style-type: none"> a. A state central committee composed of registered voters from each congressional district in Virginia; b. A party plan and bylaws; and c. A duly designated chairman and secretary. 2. A list of the names and resident addresses of the officers and members of the state central committee; and 3. A copy of the party plan and bylaws.
Tuesday, September 7, 2004	<p>Deadline for a group qualified to use selected party may certify to the State Board of Elections, a substitute candidate for President or Vice President due to that candidate's death or withdrawal.</p> <p>Deadline by which the candidate for President of a group not qualified to use a selected party name may certify a substitute candidate for Vice President to the State Board of Elections.</p> <p>Vacancies in the office of Elector, for whatever reason, are filled by a plurality vote of the remaining Electors when they meet on the first Monday after the second Wednesday in December.</p>
Monday, October 4, 2004	<p>Last day on which a person may apply for voter registration for the presidential election. All registration books close on this day. See Who May Vote in this bulletin for details.</p>

DEADLINE	ACTION REQUIRED
Thursday, October 28, 2004	Deadline for receipt of absentee ballot application sent by mail, FAX or e-mail to be received by the General Registrar of the voter's county or city of residence. See State Board of Elections website for details: www.sbe.state.va.us
Saturday, October 30, 2004	5:00 PM - Deadline for voter to apply and vote absentee in-person in the office of the General Registrar of his county or city of residence.
Tuesday, November 2, 2004	ELECTION DAY
Monday, November 22, 2004	State Board of Elections meets to ascertain results of the presidential election.

Ballot Access Requirements

Candidates wishing to participate in the **presidential general election** must follow the procedures outlined below.

Petition Requirements	Circulate after January 1, 2004.
	<p>Must be on the form prescribed by the State Board of Elections. It is suggested that the candidate or group complete the top portion of the petition form and then print or photocopy as many copies of the form as needed. The form may not be altered in any way.</p> <p>The following information must be entered in the top portion of the petition before any voter signs it:</p> <ol style="list-style-type: none">1. The name of each Elector: First name, middle or maiden name or initial, if one, last name, and suffix, if any;2. The names of the candidates for President and Vice President for whom the Electors must vote in the Electoral College, if elected;3. If the potential candidates are to represent a group qualified to use a selected party name, the party name (a party emblem may be placed on the petition with the party group name but it will not appear on the ballot), OR4. If the potential candidates do NOT represent a group qualified to use a selected party name, leave this space blank (the candidate will be designated as "Independent" on the ballot).
	<p>Must be signed by not less than 10,000 qualified voters in Virginia, including at least 400 qualified voters from each of Virginia's eleven congressional districts.</p> <p>It is recommended that 15,000 - 20,000 signatures be obtained with at least 700 signatures from each congressional district because many people who are not registered to vote will sign a petition.</p>
	<p>Must provide the true signature, the printed full name and the full resident address of each qualified voter and the date each signed the petition.</p> <p>Although the social security number is requested, it is not mandatory that it be provided. It is suggested that at least the last 4 digits of the social security number be provided to facilitate verification.</p>

Petition Requirements (continued)	<p>Must, on each page, provide an affidavit signed under oath by the person who circulated it that he/she personally witnessed the affixing of the signature of each voter on the page and that he/she is registered, or eligible to be registered, to vote in Virginia.</p> <p>Note that a circulator cannot witness his own signature. Falsely signing this affidavit is a felony under Virginia law.</p> <p>The petition NEVER can be left unattended.</p> <p>Petition pages must be filed by congressional district order and, within each congressional district, in locality order (counties followed by cities). The State Board recommends that each petition page contain signatures from only one county or city and, therefore, circulators should prepare a separate petition page for each locality in the congressional district.</p> <p>Must be filed with the State Board of Elections no later than Noon on Friday, August 20, 2004.</p>
Write-Ins	<p>Write-in votes for President and Vice President will be counted only if the following requirements are met:</p> <ul style="list-style-type: none"> A. The candidates for President and Vice President, or for President only, file with the State Board of Elections, the joint declaration of intent to be write-in candidates. (Prescribed form enclosed.) B. The joint declaration of intent includes a list of the thirteen presidential electors pledged to those candidates. C. The joint declaration of intent is received by the State Board of Elections on or before October 23, 2004.
Who May Vote	<p>Any person who is registered to vote in the precinct where he resides may vote in the presidential general election.</p>